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Attorneys for Defendant

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSE INEZ GARCIA-ZARATE

Defendant.

Case No. CR 17-609 VC

**STIPULATION AND ~~PROPOSED~~  
ORDER CONTINUING STATUS  
HEARING FROM FEBRUARY 14, 2022  
TO MARCH 28, 2022 AT 1:30PM**

Defendant JOSE INEZ GARCIA-ZARATE by and through his counsel Michael Hinckley, and the United States of America, by and through Assistant United States Attorney Eric Cheng, stipulate and agree to continue the currently-scheduled hearing from February 14, 2022 at 1:30 p.m. to March 28, 2022 at 1:30 p.m. for change of plea.

Good cause exists for this request in that the parties are in the process of concluding discussions related to terms of a potential negotiated disposition. The requested additional time is necessary to complete that process. As such, the parties request the matter be set for change of plea.

The parties agree that excluding the time resulting from this continuance from computation under the Speedy Trial Act is in the interest of justice and outweighs the best interest of both the public and the defendant in a speedy trial, and is necessary for effective preparation of defense

U.S. V. GARCIA-ZARATE

1 counsel, taking into account the exercise of due diligence. See 18 U.S.C. §3161(h)(7)(A) and 18  
2 U.S.C. § 3161(h)(a) and (7)(B)(iv).

3 **IT IS SO STIPULATED.**

4 2/11/2022  
5 Dated: \_\_\_\_\_

/s/Eric Cheng

\_\_\_\_\_  
6 ERIC CHENG  
7 Assistant United States Attorney

8 2/11/2022  
9 Dated: \_\_\_\_\_

/s/Michael Hinckley

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10 MICHAEL HINCKLEY  
11 Attorneys for Defendant  
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**[PROPOSED] ORDER**

GOOD CAUSE APPEARING, upon stipulation of the parties, the currently-scheduled status hearing date is continued from February 14, 2022 to March 28, 2022 at 1:30 p.m. for change of plea.

Also, based upon the representations of counsel and the stipulation, and good cause shown, the Court finds that failure to grant this continuance and exclude time would unreasonably deny the defendant the reasonable time necessary for effective preparation of his counsel, taking into account the exercise of due diligence. 18 U.S.C. sec. 3161(h)(7)(B)(iv). The Court finds that the ends of justice served by excluding time from February 14, 2022 to March 28, 2022 from computation under the Speedy Trial Act outweigh the best interest of both the public and the defendant in a speedy trial. THEREFORE, IT IS HEREBY ORDERED that the time from currently scheduled status hearing date from February 14, 2022 at 1:30 p.m. to March 28, 2022 be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

IT IS SO ORDERED.

DATED: February 11, 2022

  
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HONORABLE VINCE CHHABRIA  
United States District Judge